

Attorney Docket: 007875-0310447  
Client Reference: SP 20862 JL S32/0953

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re PATENT APPLICATION of: SERGE VALETTE

Application No.: 10/501,528

Confirmation No: 7143

Filed: July 16, 2004

Group Art Unit:

Examiner: Unassigned

Title: OPTICAL SWITCH WITH MIRCOMIRROR AND ITS METHOD OF FABRICATION

**RESPONSE TO NOTICE TO FILE MISSING PARTS**

**Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450**

Sir:

Applicant requests a 0 month extension of time to respond to the Notice to File Missing Parts of Application mailed February 9, 2005. The requisite extension fee is enclosed, where applicable.

In response to the Notice to File Missing Parts of Application mailed February 9, 2005, a copy of which is enclosed, Applicants herewith submit the following:

Executed Combined Declaration and Power of Attorney of Inventors  
Assignment and Recordation Cover Sheet

Please see attached PTO/SB/17 for payment of fees.

Respectfully submitted,  
PILLSBURY WINTHROP LLP

By



Robert C. Perez  
Registration No. 39328  
Telephone:

Date: March 3, 2005  
P.O. Box 10500  
McLean, VA 22102  
Customer No.: 00909

Rec'd PCT/PTO

03 MAR 2005



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

U.S. APPLICATION NUMBER NO.

FIRST NAMED APPLICANT

ATTY. DOCKET NO.

10/501,528

Serge Valette

007875-0310447

**RECEIVED**  
 PILLSBURY WINTHROP LLP/VA

INTERNATIONAL APPLICATION NO.

PCT/FR03/00130

I.A. FILING DATE

PRIORITY DATE

01/16/2003

01/18/2002

FEB 11 2005

CONFIRMATION NO. 7143

371 FORMALITIES LETTER



\*OC000000015133960\*

CL 07875 MT# 0310447  
 ATTY(S) JSB, RCP, KG  
 DUE: 7-9-05  
 DKT BY (1) LL (2) MS

Date Mailed: 02/09/2005

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 07/16/2004
- English Translation of the IA filed on 07/16/2004
- Copy of the International Search Report filed on 07/16/2004
- Information Disclosure Statements filed on 07/16/2004
- Request for Immediate Examination filed on 07/16/2004
- U.S. Basic National Fees filed on 07/16/2004
- Priority Documents filed on 07/16/2004

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- **\$130** Surcharge for providing the oath or declaration later than 30 months from the priority date (37 CFR 1.492(e)) is required.

#### SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$130** for a Large Entity:

- **\$130** Late oath or declaration Surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

**BEST AVAILABLE COPY**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

JOHN L ANDERSON

Telephone: (703) 308-9140 EXT 211

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/501,528	PCT/FR03/00130	007875-0310447

FORM PCT/DO/EO/905 (371 Formalities Notice)

**BEST AVAILABLE COPY**

DT07 Rec'd PCT/PTO 0 3 MAR 2005

PTO/SB/17 (12-04)

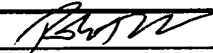
Approved for use through 07/31/2006. OMB 0651-0032  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Effective on 12/08/2004. Fees pursuant to the Consolidated Appropriations Act. 2005 (H.R. 4818).		<b>Complete if Known</b>	
<h1 style="margin: 0;">FEE TRANSMITTAL</h1> <h2 style="margin: 0;">for FY 2005</h2>		Application Number	10/501,528
		Filing Date	July 16, 2004
		First Named Inventor	SERGE VALETTE
		Examiner Name	Unassigned
		Art Unit	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27		Attorney Docket No.	007875-0310447
<b>TOTAL AMOUNT OF PAYMENT</b>		(\$ ) 130	

<b>METHOD OF PAYMENT</b> (check all that apply)	
<input type="checkbox"/> Check <input type="checkbox"/> Credit Card <input type="checkbox"/> Money Order <input type="checkbox"/> None <input type="checkbox"/> Other (please identify): _____	
<input checked="" type="checkbox"/> Deposit Account	Deposit Account Number: 033975 Deposit Account Name: PILLSBURY WINTHROP LLP
For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)	
<input checked="" type="checkbox"/> Charge fee(s) indicated below	<input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee
<input checked="" type="checkbox"/> Charge any additional fee(s) or underpayment of fees(s) under 37 CFR 1.16 and 1.17	<input checked="" type="checkbox"/> Credit any overpayments
WARNING: Information on this form may become public. Credit Card information should not be included on this form. Provide credit card information and authorization on PTO-2038.	

FEE CALCULATION							
1. BASIC FILING, SEARCH, AND EXAMINATION FEES							
Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fee Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	100	500	250	200	100	_____
Design	200	100	100	50	130	65	_____
Reissue 130.00 DA	200	100	300	150	160	80	_____
Provisional	300	150	500	250	600	300	_____
	200	100	0	0	0	0	_____
2. EXCESS CLAIM FEES							Small Entity
Fee Description							Fee (\$)
Each claim over 20 or, for Reissues, each claim over 20 and more than in the original patent							50
Each independent claim over 3 or, for Reissues, each independent claim more than in the original patent							200
Multiple dependent claims							360
Total Claims - 20 or HP = _____ X Fee (\$ ) = _____ Fee Paid (\$ )							
HP = highest number of total claims paid for, if greater than 20							
Indep. Claims - 3 or HP = _____ X Fee (\$ ) = _____ Fee Paid (\$ )							
HP = highest number of independent claims paid for, if greater than 3							
3. APPLICATION SIZE FEE							
If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).							
Total Sheets		Extra Sheets	Number of each additional 50 or fraction thereof		Fee (\$)	Fee Paid (\$)	
_____ - 100 = _____		_____ /50= _____	_____ (round up to a whole number) x _____		250.00	_____	
4. OTHER FEE(S)							
Non-English Specification, 130 fee (no small entity discount)							_____
Other: Late oath or declaration surcharge							130.00

<b>SUBMITTED BY</b>			
Signature		Registration No. (Attorney/Agent)	39328
Name (Print/Type)	Robert C. Perez	Telephone	703.905.2159
		Date	March 3, 2005

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.